

DEPARTMENT OF PUBLIC HEALTH
AND HUMAN SERVICES

CHAPTER 110

Subchapter 5

Youth Camps

37.111.501 DEFINITIONS The following definitions apply to this subchapter:

(1) "Bedding" means mattresses, box springs, mattress covers, mattress pads, sheets, pillow slips, pillows, pillow covers, blankets, comforters, quilts, bedspreads, or sleeping bags.

(2) "Fixture" means a shower, bathtub, toilet, toilet seat, urinal, lavatory, kitchen sink, janitor or custodial sink, or utensil sink and all exposed plumbing integral to each.

(3) "Furnishing" means cups, glasses, pitchers, utensils, draperies, curtains, blinds, light fixtures, lamps and lamp shades, chairs, tables, desks, shelves, books, magazines, bookcases, dressers, bedsteads, mattress springs other than box springs, towels, wash cloths, soap, toilet tissue, radios, television sets, coffee makers, water heaters, pictures, mirrors, cabinets, closets, refrigerators, or similar items.

(4) "Local health authority" means a local health officer or sanitarian authorized to act on behalf of a local board of health. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 02 and 03 reserved

37.111.504 PRECONSTRUCTION REVIEW (1) Before commencement of construction of a new youth camp or of an addition to or alteration of an existing youth camp, plans for its construction must be submitted to the department for review to determine if the standards in this subchapter are met; such plans must include whichever of the following are applicable:

(a) Scaled plan of the camp, including location of boundary lines, all buildings, sewage systems, water supplies, natural and manmade hazards, any swimming facilities, all toilet facilities, streams, lakes, and any other physical feature pertinent to this subchapter;

(b) Location and detail of any storage room used for extra bedding and furnishings;

(c) Location and detail of janitorial facilities, if any;

(d) Specifications for the water supply to serve the youth camp unless the water supply has been previously approved by the department;

(e) Specifications for the sewage treatment and disposal system to serve the youth camp unless the sewage treatment and disposal system has been previously

approved by the department;

(f) Location and detail of any laundry facilities, including a description of equipment, floor and wall finish material, and a flow chart indicating the route of laundry through sorting, washing, drying, ironing, folding, and storage;

(g) Specifications for a swimming or spa facility to serve the youth camp unless that facility has been previously approved by the department;

(h) Location and detail of all on-site solid waste storage areas;

(i) Name of the department-approved sanitary landfill which will receive solid waste from the youth camp;

(j) Specifications for a food service to serve the youth camp unless the food service has been previously approved by the department; and

(k) Any other information requested by the department.

(2) Construction may not commence until all plans required by (1) of this rule have been approved by the department and local health authority.

(3) Construction must be in accordance with the plans as approved unless permission is granted by the department to make changes.

(4) Approval of construction will last for three years after the date it is granted, after which, if construction has not been completed, plans must again be submitted to the department for re-evaluation. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.505 USE BY NON-LICENSEE: LICENSEE RESPONSIBILITY

(1) Whenever the licensee of a camp rents, leases, or otherwise relinquishes control of the camp facilities to a private organization which manages the camp and restricts its availability to members of that private organization, the licensee:

(a) Will be responsible only for the standards contained in this subchapter which relate to structural and equipment requirements, and for any other requirements which remain under the control of the licensee; and

(b) Must supply the private organization with an operation and maintenance manual which includes instructions for operation and maintenance of the water, sewage, heating/cooling, and ventilation systems, and any other facilities necessary for the safe and sanitary operation of the camp.

(2) If the licensee allows use of the camp by an organization which is either public or will allow access to the camp by individuals who are not organization members, the licensee will be responsible for compliance with all of the standards in this subchapter. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.506 PHYSICAL REQUIREMENTS A youth camp must meet the following physical standards:

(1) If bedding and/or other furnishings are provided to campers, sufficient room must be set aside for the storage of any extra bedding and furnishings.

(2) Floors in any room or enclosure subject to large amounts of moisture, such as a toilet or bathing room, a laundry room, or janitorial closet, must be smooth and non-absorbent. Shower floors must be sloped to drain.

(3) Floor or wall-mounted furnishings must be easily movable to allow for cleaning, or constructed and mounted in a manner that allows for cleaning around and under such furnishings. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 07 through 14 reserved

37.111.515 WATER SUPPLY SYSTEM (1) In order to ensure an adequate and potable supply of water, a youth camp must utilize a water supply system which meets the standards contained in ARM 37.111.615.

(2) The department hereby adopts and incorporates by reference ARM 37.111.615, setting construction and operation requirements for drinking water supplies.

A copy of ARM 37.111.615 may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.516 SEWAGE TREATMENT AND DISPOSAL (1) In order to ensure sewage is completely and safely disposed of, a youth camp must utilize a sewage system which meets the standards contained in ARM 37.111.616.

(2) The department hereby adopts and incorporates by reference ARM 37.111.616, setting construction and operation requirements for sewage disposal systems. A copy of ARM 37.111.616 may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.517 SOLID WASTE In order to ensure that solid waste is safely stored and disposed of, a youth camp must:

- (1) Store all solid waste between collections in containers which have lids and are corrosion-resistant, flytight, watertight, and rodent-proof;
- (2) Clean all solid waste containers frequently;
- (3) Utilize exterior collection stands for the containers referred to in (1) of this rule which prevent the containers from being tipped, protect them from deterioration, and allow easy cleaning below and around them; and
- (4) Transport the solid waste at least weekly to a licensed landfill site, either by utilizing a private or municipal hauler or by otherwise transporting the waste in a covered vehicle or covered containers. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.518 TOILETS Toilet facilities must be:

- (1) Located within 300 feet of all sleeping quarters, unless local conditions, such as high ground water, flood hazard, or inappropriate topography or soil conditions, render that impossible, in which case they must be located as closely as those conditions permit.
- (2) Provided in the ratio of one toilet for every 10 persons or fraction thereof. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 19 and 20 reserved

37.111.521 HOUSEKEEPING, MAINTENANCE AND LAUNDRY

- (1) Every structure within the youth camp, including tents and similar non-permanent enclosures, and all furnishings, fixtures, and bedding provided by the youth camp, must be maintained in good repair and in safe and sanitary condition.
- (2) The youth camp must implement a systematic maintenance program which ensures clean and safe conditions throughout the immediate area surrounding camp structures, living quarters, and other frequently used areas.
- (3) The youth camp must keep on hand and readily available cleaning equipment and supplies in sufficient quantity to meet the housekeeping needs of the facility.
- (4) Any laundry facilities provided by the youth camp for use by residents or campers must be maintained in clean and sanitary condition.
- (5) If the youth camp provides campers with bed linens, towels, or washcloths for their use, it must clean them with laundry facilities which meet the standards contained in ARM 37.111.121, except that if, due to the nature of the camp, those standards are extremely difficult or impossible to meet, alternative procedures may be

followed if approved by the department or local health authority as providing equivalent protection.

(6) If the youth camp supplies any camper with a mattress, it must either equip the mattress with:

(a) a removable cover and launder the cover in accordance with the requirements of ARM 37.111.121 after the mattress is used by one camper and before it is assigned to another; or

(b) a non-removable but washable outer covering and clean and disinfect that cover with a germicidal agent after it is used by one camper and before it is assigned to another.

(7) The department hereby adopts and incorporates by reference the standards in ARM 37.111.121, which ensure sanitary conditions in laundries. A copy of ARM 37.111.121 may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.522 FOOD SERVICE Whenever food is prepared by the youth camp for service to campers, the following requirements apply:

(1) Food must be:

(a) free from spoilage, filth, or other contamination;

(b) obtained from sources that comply with all federal and state law applicable to the source relating to food and food labeling;

(c) at all times, including while being stored, prepared, displayed, served, or transported, protected from potential contamination, such as dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage, and drips from overhead condensation.

(d) thoroughly washed and/or cooked as necessary to destroy disease-causing microorganisms.

(2) A potentially hazardous food must:

(a) be maintained at 45°F or below, or 140°F or above;

(b) when thawed after being frozen, be thawed either at 45°F or below, by quick-thawing during the cooking process, or by an equivalent method approved by the department or local health authority.

(3) No food may be served which has been stored in an hermetically sealed container unless the container was prepared in a licensed food processing establishment.

(4) If food or food utensils are transported from the kitchen to an area not immediately contiguous to the kitchen, the food and utensils must, during transportation, be kept in covered containers or completely wrapped or packaged so as to be protected from contamination.

(5) No person who is either infected with a communicable disease in a form that

can be transmitted by foods; a carrier of organisms that cause such a disease; or afflicted with a boil, an infected wound, diarrhea, acute gastro-intestinal illness, or an acute respiratory infection may work in a kitchen in any capacity in which there is a likelihood of that person contaminating food or food contact surfaces with pathogenic organisms or transmitting disease to other persons.

(6) Kitchen workers must maintain a high degree of personal cleanliness and conform to good hygienic practices.

(7) Food preparation, storage, and serving equipment and utensils must:

(a) not impart odors, color, or taste to food nor contribute to its contamination;

(b) be thoroughly cleaned after each usage;

(c) be constructed, repaired, and finished with non-toxic materials, resistant to corrosion, smooth, and, if multi-use, easily cleanable, non-absorbent, and durable under conditions of normal use;

(d) when cleaned and sanitized, or if single-service, be handled and sorted in a way that protects them from contamination.

(8) Facilities must be provided which are adequate for washing and sanitizing all multi-use utensils used for preparing, serving, and storing food.

(9) Kitchen floors, walls, ceilings, equipment and storage areas must be smooth, non-absorbent, easily cleanable, and kept clean and in good repair. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.523 SWIMMING AND BATHING AREAS (1) The construction and operation of any swimming pool, spa, or other swimming area owned and utilized by the youth camp must be in accordance with the standards pertaining to the type of facility in question contained in Title 37, chapter 110, subchapters 10 (swimming areas) or 11 (swimming pools and spas) of the Administrative Rules of Montana.

(2) The department hereby adopts and incorporates by reference the rules in ARM Title 37, chapter 110, subchapters 10 and 11, which establish construction, equipment, and operation standards for swimming areas and swimming pools and spas, respectively. Copies of Title 37, chapter 110, subchapters 10 or 11, may be obtained from the Department of Public Health and Human Services, Health Policy and Services Division, Food and Consumer Safety Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

Rules 24 through 29 reserved

37.111.530 SAFETY The operator of a youth camp must:

- (1) Ensure that the camp site is as free as reasonably possible of objects or conditions which are hazardous to humans.
- (2) Post a warning of potential natural hazards and otherwise inform each camper of the danger.
- (3) Plainly mark any substance which is potentially toxic if ingested, inhaled, or handled and store it in a locked cabinet or enclosure that is inaccessible to campers.
- (4) Ensure that each facility and piece of equipment used in camp programs is of sufficient quality and maintained in a manner that ensures that it does not present undue risk to campers. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.531 ILLNESS OR INJURY The operator of the camp must:

- (1) Do the following, if a child develops symptoms of illness while at camp:
 - (a) Isolate the child immediately in a room or area segregated for that purpose.
 - (b) As soon as possible, contact, inform, and consult with a parent or guardian of the child about the illness and take one of the following actions:
 - (i) Request that the child be picked up and taken home immediately;
 - (ii) If the parent or guardian agrees, observe the child for a reasonable time and, if the symptoms do not pass, request that the child be taken home; or
 - (iii) If the parent or guardian agrees, call a physician and follow the physician's instructions.
 - (c) The same day a suspected case of communicable disease is discovered, report it by telephone to the local health officer or as soon as possible thereafter if no contact can be made the same day.
- (2) Develop and enforce policies on first aid which include, at a minimum:
 - (a) Keeping a record of an emergency phone number for the parent or guardian of each child attending the camp;
 - (b) Measures to be taken in case of injury; and
 - (c) During camp-sponsored activities, having a physician on call and a person on-site who is trained in red cross basic first aid. [Recommendations for first aid supplies and policies may be secured from the Department of Public Health and Human Services, Emergency Medical Services and Injury Prevention Section, 1400 Broadway, P.O. Box 202951, Helena, Montana 59620-2951.
- (3) Complete and submit to the department a department illness/injury report form for each fatality which stems from an injury occurring at camp and for each illness or injury occurring at camp which results in the camper either being sent home, admitted to a hospital, or positively diagnosed as having a disease or injury after a laboratory analysis or x-ray is performed.

(4) In order to assist in control of any outbreak of a communicable disease, keep a register of all non-employee individuals utilizing the camp, including each person's name, home address and phone number, and the building or other living unit in which s/he was assigned sleeping quarters. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.532 INSECT, RODENT AND WEED CONTROL The operator of the camp must ensure that:

(1) Camp buildings, other structures, and grounds are kept free, to the extent possible, of harborage for, and infestations of, insects or rodents.

(2) Any extermination or control measures involving insecticides, rodenticides, or herbicides strictly conform to the manufacturer's application instructions.

(3) The growth of brush, weeds, grass, and other plants in the area customarily frequented by campers is restricted to the extent necessary to eliminate harborage for ticks, chiggers, and similar insects of danger to public health.

(4) Ragweed, poison ivy, poison oak, poison sumac, and other similarly noxious plants do not grow on camp property within the area customarily frequented by campers. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.533 NONCOMPLYING PREEXISTING CAMPS AND CORRECTION PLAN (1) A youth camp which is in existence on December 27, 1985, but which fails to meet one or more of the requirements of this subchapter may be licensed if:

(a) a plan of correction, including a date by which the camp will be in full compliance with this subchapter, is prepared by the operator of the youth camp and accepted by the department and local health authority; and

(b) an interim plan to protect the health of campers until the plan of correction is completed is accepted by the department and local health authority as providing adequate protection and is immediately implemented.

(2) If the plan of correction is not completed by the approved date, the department will take action to cancel the license pursuant to 50-52-205 and 50-52-207, MCA. (History: Sec. 50-52-102, MCA; IMP, Sec. 50-52-102, 50-52-103, 50-52-201, 50-52-205, 50-52-206, 50-52-207 and 50-52-208, MCA; NEW, 1985 MAR p. 2007, Eff. 12/27/85; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.534 INSPECTIONS (1) A local health officer, or a sanitarian or sanitarian-in-training employed by or contracted with the local board of health, must conduct an inspection of each youth camp within the jurisdiction of the local board of health at least once every 12 months, unless that schedule is modified by signed agreement with the department.

(2) The local health officer, local health department sanitarian or sanitarian-in-training, or an authorized representative of the department must be permitted to inspect any youth camp at a reasonable time for the purpose of determining compliance with this subchapter and to examine the records relating to the youth camp in order to assist in that determination.

(3) Whenever an inspection of a youth camp is made, the findings must be recorded on a form approved by the department, retained by the local health authority, and furnished to the department upon request.

(4) The inspection form must specify a reasonable period of time for the correction of any violations found, and the youth camp must correct the violations within the period specified.

(5) The inspection form shall state that failure to comply with any time limits for corrections may result in an order to cease operations. (History: Sec. 50-52-102, 50-52-301 and 50-52-302, MCA; IMP, Sec. 50-52-301, 50-52-302 and 50-52-303, MCA; NEW, 1994 MAR p. 2941, Eff. 11/11/94; TRANS, from DHES, 2001 MAR p. 2425.)

37.111.535 MINIMUM PERFORMANCE REQUIREMENTS FOR LOCAL HEALTH AUTHORITIES (1) To qualify for reimbursement under 50-52-302, MCA, the local board of health must either enter into a written, signed cooperative agreement with the department that establishes the duties and responsibilities of the local board of health and the department consistent with this subchapter, or meet each of the following requirements:

(a) Each youth camp within the jurisdiction of the local board of health is inspected at least once every 12 months, or on the schedule specified in a signed agreement with the department.

(b) Quarterly inspection reports are submitted to the department within 10 days following the close of each quarter of the fiscal year (1st quarter--September 30; 2nd quarter--December 31; 3rd quarter--March 31; 4th quarter--June 30) on forms approved by the department.

(c) All documentation of enforcement of this subchapter, including but not limited to inspection reports, consumer complaints, illness investigations, plans of correction, and enforcement actions, is retained for 5 years and copies of the documentation are submitted or otherwise made available to the department upon request.

(2) A failure by the local board of health to meet all of its responsibilities under the cooperative agreement or under (1)(a) through (d) above shall result in the withholding of funds from the local board reimbursement fund in an amount to be determined by the department. (History: Sec. 50-52-302, MCA; IMP, Sec. 50-52-302,

MCA; NEW, 1994 MAR p. 2941, Eff. 11/11/94; TRANS, from DHES, 2001 MAR p. 2425.)